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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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25944 7590 07/09/2008

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EXAMINER

DHINGRA, PAWANDEEP

ART UNIT

PAPER NUMBER

2625

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **DETAILED ACTION**

- This action is responsive to the following communication: Amendment after non-final rejection filed on 02/27/2008.
- The applicant has canceled all the claims, 1-17, as presented previously.
- New claims, 18-29, have been added, and are now pending in the present application.

### ***Response to arguments***

Applicant's amendments filed on 02/27/2008 with respect to claims 18-29 have been moot as the amendment is considered as non-responsive and the claims are not entered, see the discussion given below.

### ***Election/Restrictions***

Newly submitted claims 18-29 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Independent claim 9, in particular, drawn to an accounting apparatus for charging for a process for image data comprising: a first accounting amount calculation unit for calculating a accounting amount for the executed image processing and an accounting unit for executing an accounting processing for charging the image processing requests made by the requester.

While, Independent claim 18, in particular, drawn to an accounting apparatus comprising: a receiving unit for receiving RIP data representing a processing mode of a RIP processing; storing unit for storing first information including a relationship between

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the processing mode and an accounting amount for the processing mode; a calculation unit that calculates a first accounting amount by using the RIP data and the first information; and an accounting unit for executing accounting processing for charging the requester of the RIP processing.

Independent claims 22 and 26 recite the identical features as claim 18, except claim 22 is a method claim and claim 26 is a computer implemented method claim.

Since applicant has received an action on the merits for the originally presented invention, claims 9-13, 16-17, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 18-29 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 02/27/2008 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAWANDEEP S. DHINGRA whose telephone number is (571)270-1231. The examiner can normally be reached on M-F, 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. D./  
Examiner, Art Unit 2625